

Mr. SIMPSON. Mr. Speaker, I rise today to speak in support to H.R. 3763, to amend the Fair Credit Reporting Act to provide for an exclusion from Red Flag Guidelines for certain businesses. This bill is a bipartisan, common-sense approach to protecting our nation's small businesses from needless, burdensome government regulation. This legislation would exempt certain businesses, including health providers, from complying with the Red Flags Rule, which requires financial institutions and creditors to develop and implement a written identity theft program.

The bill recognizes that many of our nation's small businesses, particularly health providers, are not financial institutions and therefore do not present the same level of risk as financial institutions in cases of identity theft. In fact, many of these medical and dental offices were considered creditors under the rule simply because of the fact that they are willing to work with patients on developing flexible payment plans for those patients that can't afford to pay at the time of service. Thus, this rule actually appeared to discourage efforts to improve access to care for people who can't afford to pay, which runs contrary to all of Congress's efforts, on both sides of the aisle, to improve our health system.

When Congress expressed those concerns to the Federal Trade Commission (FTC), they delayed the implementation of the rule twice, in April and again in August, as they worked with providers and other small businesses in an effort to minimize the burdens of compliance and address their concerns with the program. I would like to recognize and thank the FTC for their efforts. However, as this bill demonstrates, Congress believes that entities such as health providers, accountants and others were never meant to be included in the definition of creditor. This legislation is an appropriate next step to better defining who is a creditor and protecting our small businesses from needless costs and regulations.

I would like to thank Chairman FRANK and Ranking Member BACCHUS for working with us to craft a balanced bill to address all parties' concerns. In addition, I would like to thank Congressman ADLER and Congressman BROWN—I have greatly enjoyed working with you on this legislation. In addition, I would like to thank the FTC for their willingness to work with us to address the concerns of medical providers and small businesses alike. They have been a true partner in this process, and I would like to recognize their efforts to address our concerns with this rule.

Mr. Speaker, during these difficult economic times, it is more important than ever that government push forward legislation to promote small businesses in America. In addition, we should be working with America's dentists and doctors to promote policies that improve access to care instead of burdening them with unnecessary rules and compliance measures. This legislation does exactly that.

Mr. ADLER of New Jersey. I yield back the remainder of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. ADLER) that the House suspend the rules and pass the bill, H.R. 3763.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. ADLER of New Jersey. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

□ 1430

ARMY SPECIALIST JEREMIAH PAUL MCCLEERY POST OFFICE BUILDING

Mr. LYNCH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3319) to designate the facility of the United States Postal Service located at 440 South Gullwing Street in Portola, California, as the "Army Specialist Jeremiah Paul McCleery Post Office Building".

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3319

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. ARMY SPECIALIST JEREMIAH PAUL MCCLEERY POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 440 South Gullwing Street in Portola, California, shall be known and designated as the "Army Specialist Jeremiah Paul McCleery Post Office Building".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Army Specialist Jeremiah Paul McCleery Post Office Building".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts (Mr. LYNCH) and the gentleman from California (Mr. MCCLINTOCK) each will control 20 minutes.

The Chair recognizes the gentleman from Massachusetts.

GENERAL LEAVE

Mr. LYNCH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LYNCH. Mr. Speaker, I now yield myself such time as I may consume.

Mr. Speaker, as chairman of the House subcommittee with jurisdiction over the United States Postal Service, I am very proud this afternoon to present H.R. 3319 for consideration. This measure, if passed, will designate the postal facility located at 440 South Gullwing Street in Portola, California, as the "Army Specialist Jeremiah Paul McCleery Post Office Building."

Introduced by my colleague and friend Representative TOM MCCLINTOCK of California on June 23, 2009, and favorably reported out of the Oversight and Government Reform Committee on September 10, 2009, by unanimous con-

sent, H.R. 3319 enjoys the support of the entire California House delegation.

A native of Portola, California, Army Specialist Jeremiah McCleery proudly served in support of Operation Iraqi Freedom with the United States Army's 1st Battalion, 12th Cavalry Regiment, 3rd Brigade Combat Team, 1st Cavalry Division out of Fort Hood, Texas. Regrettably, Specialist McCleery and his friend and fellow Californian, Army Specialist Jake Velloza, died on May 2 from wounds sustained after those two soldiers were shot by enemy forces in Mosul, Iraq. Specialist McCleery was just 24 years old at the time of his death.

Specialist McCleery's heroic commitment to the United States military began at the age of 4 after his father, Joe McCleery, took his young son to Twentynine Palms, California, to watch the homecoming of a unit of United States Marines returning from the 1991 Persian Gulf War. The opportunity to witness the triumphant return of those brave American soldiers prompted Specialist McCleery's lifelong desire to serve his country.

Even as a young boy, Specialist McCleery was passionate about becoming a member of America's military. As a child, he spent hours in his backyard playing the role of soldier, and soon enough he joined the Boy Scouts of America and subsequently the Civil Air Patrol.

While he intended to enlist in the United States Army following his graduation from Portola High School in 2004, Specialist McCleery delayed his enlistment after his beloved mother, Mrs. Collette McCleery, was diagnosed with cancer during his senior year. Specialist McCleery decided to stay with his family during his mother's battle with cancer, and only went on with his life's desire of enlisting in the military after his mother passed away in 2005. So, in addition to his dedication to the United States Army, Specialist McCleery will be equally remembered for his steadfast devotion to his family, especially his father, Joe, and his sister, Chastity.

Specialist McCleery enjoyed the outdoors, and specifically loved hunting, riding four-wheelers, and sport shooting with his friends, but without a doubt his favorite outdoor pastime was always fishing with his dad. Although he is no longer with us, Specialist McCleery's memory will live on with his friends and family and all those who were fortunate enough to know this great young American.

Mr. Speaker, Army Specialist Jeremiah McCleery's life stands as a shining example of the bravery and dedication of the heroic men and women who serve our great Nation at home and abroad. I urge all my colleagues to join me in honoring this fine American soldier by designating the postal facility at 440 South Gullwing Street in Portola, California, in his memory.

Mr. Speaker, I reserve the balance of my time.

Mr. MCCLINTOCK. Mr. Speaker, I yield myself such time as I may consume.

I want to thank my colleague from Massachusetts for his tribute to Army Specialist Jeremiah Paul McCleery and to urge support of H.R. 3319 that names the United States Post Office in Portola in his memory. Miah McCleery grew up in that town, and to that town he returned as a fallen hero at the age of 24.

Let me tell you a little bit more about him. His best friend was his father, Joe. A high school friend, Josh Rogers, was asked when Jeremiah was the happiest. Josh replied, He was happiest whenever he was doing anything with his dad.

As my friend from Massachusetts said, when Jeremiah was 4 years old, his dad took him out to see the returning American soldiers from the first Gulf War; as Shakespeare said, "This story shall the good man teach his son." It was from that moment in 1991 that Jeremiah wanted, more than anything, to serve his country.

Joe and Collette moved their family to the little town of Portola in 1996, where they built their home themselves as a family. It was in Portola where Miah McCleery grew up.

If you want a sense of the character of this young man, just spend a few minutes with those who knew him. His older sister, Lynette Flanagan, tells of how Miah would take on much older boys at school—not in his own defense, but in the defense of others. She said, "He once got sent to the principal's office for getting into a fight. When my mother arrived at school, Jeremiah was not sorry for his actions. He explained with pride that he had stood up to a bully who had slapped a little girl. Jeremiah was never afraid to stand up for what he believed in, even if that would get him into trouble. It didn't matter if the bully was twice his size, he wouldn't back down."

Jeremiah was a Boy Scout, he joined the Civil Air Patrol, and he planned to enlist in the Army as soon as he graduated from Portola High School in 2004, but that year his mother, Collette, was diagnosed with cancer and he stayed there with his family until she died. In 2007, he finally enlisted. When his sister, Chastity, begged him not to go, he said that he felt that by going into the military he was protecting his family.

By all accounts, he was an exemplary soldier who commanded the friendship and respect of his colleagues. While at Fort Hood, he became close friends with another Californian, Jake Vellozo, and they shipped out to Iraq together. Before that, he had fallen in love with Amanda Harazin while stationed at Fort Hood. Amanda is known as "A-J" to her friends, but Jeremiah called her the "love of his life." They were to have been married on May 30, but on May 2, outside of Mosul, Iraq, at a combat outpost in Hammam Alil, American soldiers were attacked by two gunmen wearing Iraqi police uniforms.

Two U.S. soldiers—Jeremiah McCleery and his best friend, Jake Vellozo—were killed in that attack and three others were wounded. So on May 14, the day before he was supposed to return to a happy homecoming and an impending marriage, Jeremiah McCleery returned to his hometown to be buried beside his mother in Portola.

The local paper described his return with these words, which speak volumes about the community which helped to mold this American hero. They reported, "Across the Sierra Valley people lined the highway, some with their hands over their hearts as a mark of respect. In Portola, streets were lined with flag-waving citizens. Shopowners left their stores to join in, temporarily suspending business as usual."

Mr. Speaker, I wanted to share a little of what I have learned about Jeremiah McCleery because it helps to answer the question that James Michener first asked, "Where do we get such men?" Well, we get them from the heart and soul of America. We get them from good and decent families like the McCleerys. We get them from little towns like Portola, California.

Over the summer, I had the honor to visit the men and women who guard the Tomb of the Unknown Soldier at Arlington National Cemetery. The painstaking care and the meticulous precision with which these young men and women discharge their duties in withering heat and in freezing cold 24 hours a day, 365 days a year is legendary. I asked them why they did it, and one of them told me, "We do it to tell our country that we will never forget."

For that reason, I bring this bill to the House today with the unanimous support of the Portola City Council, the entire California congressional delegation, and the entire community that watched Jeremiah McCleery grow from a boy to a man and, ultimately, to return as a hero. We ask that the Congress name the local post office in honor of Army Specialist Jeremiah Paul McCleery to tell our countrymen that we will never forget, and also to express our awe and our gratitude that humanity has, within itself, a small band of brothers like Jeremiah McCleery who step forward not for treasure or profit or even to defend their own freedom, but, rather, to win the freedom of a people half a world away. And they do it because their country asks them to and because it is virtuous and noble.

We owe these men and their grieving families a debt that we can never repay, except to honor their memory and to keep their sacrifice always in mind, those who gave up everything to proclaim liberty throughout all the land and unto all the inhabitants thereof.

Mr. Speaker, I yield back the balance of my time.

Mr. LYNCH. Mr. Speaker, again, I encourage our friends on both sides of the aisle to join with Mr. MCCLINTOCK in

honoring Army Specialist Jeremiah McCleery through the passage of H.R. 3319.

Mr. HELLER. Mr. Speaker, I rise today to express my heartfelt support for H.R. 3319 which will designate the facility of the United States Postal Service located at 440 South Gulling Street in Portola, California, as the "Army Specialist Jeremiah Paul McCleery Post Office Building."

Jeremiah McCleery was born in Glendora, California, to parents Colette and Joe McCleery on April 5, 1985. Jeremiah grew up in a very close family and was well known for telling jokes and seeing the humor in life. He enjoyed the outdoors and spent a great deal of time fishing, camping, working on his truck, and sport shooting.

Jeremiah wanted to join the Army since he was 4 years old when his father took him to watch the triumphant return of U.S. soldiers from the 1991 Persian Gulf War. The outpouring that greeted American forces during that homecoming made a lasting impression on the young Jeremiah and set him on a path to serve his country. Since that day, he was a Boy Scout and joined the Civil Air Patrol. Later Jeremiah enlisted in the Army on June 2007. Jeremiah was assigned to the 1st Battalion, 12th Cavalry Regiment, 3rd Brigade Combat Team, 1st Cavalry Division at Ft. Hood, Texas, and was deployed to Iraq. Tragically, on May 2, 2009, Jeremiah was shot and killed at a combat outpost in Hammam Alil, Iraq, north of Baghdad. Spc. Jeremiah McCleery gave his life while defending his country in Iraq.

My family and I extended our heartfelt sympathy and condolences to Jeremiah's father who lives in Sparks, Nevada, who has suffered this deep loss. We are committed to providing full support for their needs. I also remain dedicated to fulfilling all of America's promises to those who faithfully serve our nation and to their families. Therefore, I urge all of my colleagues to support H.R. 3319, which will honor Specialist Jeremiah Paul McCleery for his sacrifice.

Mr. LYNCH. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. LYNCH) that the House suspend the rules and pass the bill, H.R. 3319.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. LYNCH. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

EXTENSION OF COMMERCIAL SPACE TRANSPORTATION LIABILITY REGIME

Mr. GORDON of Tennessee. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3819) to extend the commercial space transportation liability regime.

The Clerk read the title of the bill.